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PATENT
Attorney Docket No.: 026693-002340US

TOWNSEND and TOWNSEND and CREW LLP

By: 
Anna C. Kundel

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

HUTCHENS, et al.

Application No.: 10/626,303

Filed: July 23, 2003

Patent No. 7,105,339

Issue Date: September 12, 2006

For: RETENTATE
CHROMATOGRAPHY AND PROTEIN
CHIP ARRAYS WITH APPLICATIONS
IN BIOLOGY AND MEDICINE

Customer No.: 20350

Confirmation No.: 1931

Examiner: David J. Venci

Art Unit: 1641

NOTIFICATION OF ERROR IN
SMALL ENTITY STATUS AND
PAYMENT OF DEFICIENCY OWED
UNDER 37 CFR §1.28(c)

July 13, 2007

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Issue Fee, Notice of Appeal fee and an extension of time fee for the above-identified patent correctly claimed small entity status in good faith. However, it has recently been discovered that such status as a small entity changed on July 22, 2005. Small entity status was continued in good faith when the issue fee was paid, but in error due to inadvertence and without deceptive intent. The following submission and itemization hereby meet the requirements of 37 C.F.R. Sections 1.28(c)(1) and (c)(2) and MPEP Section 509.03(X).

Therefore, Applicant respectfully requests the total deficiency payment be processed as set out below and that the error be excused.

ITEMIZATION AND CALCULATION OF THE DEFICIENCY OWED

DATE FILED	TYPE OF FEE	SMALL FEE ACTUALLY PAID	(CURRENT) LARGE FEE APPLIED	DEFICIENCY PAYMENT OWED
07/21/2006	Issue Fee	\$700	\$1400	\$700
03/31/2006	Notice of Appeal Fee	\$250	\$500	\$250
03/31/2006	2-Month Extension of Time Fee	\$225	\$450	\$225

TOTAL DEFICIENCY OWED: \$1175

Applicants hereby authorize the Commissioner to deduct the total fees of \$1175 from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Applicant understands that under 37 CFR §1.27(g)(2) and §1.28(d) this submission is treated as a notification of loss of small entity status.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415.576.0200.

Respectfully submitted,



Kenneth A. Weber
Reg. No. 31,677

Customer No. 20350

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 415-576-0200
KAW/ack